

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

EARL G. ARNOLD,

Defendant.

**4:12CR3024**

**MEMORANDUM AND ORDER**

Defendant has moved to continue the pretrial motion deadline, (filing no. 32), because the defendant is considering whether to enter a guilty plea before deciding whether to file pretrial motions. Counsel for the government does not oppose the requested continuance. Based on the showing set forth in the motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 32), is granted.
- 2) Pretrial motions and briefs shall be filed on or before June 27, 2012.
- 3) Trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between May 7, 2012 and June 27, 2012, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 6th day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge